**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HONOURABLE SRI JUSTICE V.V.S.RAO**

-

**WRIT PETITION No.13726 of 2004**

Between:

Shankar Goud, S/o.Yaadaiah Goud,
Grampanchayat, Jawaharnagar of Shameerpet (M),
Ranga Reddy District.

**..... PETITIONER**

AND

1 The Collector (Panchayat Wing),

Ranga Reddy District.
2 The State of Andhra Pradesh,

represented by its Principal Secretary to Government,

Panchayat Raj & Rural Development (PTS.II) Department,
Secretariat Buildings, Hyderabad.
3 The Commissioner, Panchayat Raj & Rurla Development,
Andhra Pradesh, Hyderabad.
4 Sri Odugu Raghavulu, Upa Sarpanch,
Jawaharnagar Grampanchayat,

Shampeerpet(M),R.R.Dist.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of a writ of certiorari calling for records and quash the impugned order of the 2nd respondent dt.29-7-2004 in G.P.Rt.No.1096, as highly illegal, arbitrary biased and in clear violation of

the observations made by the Hon'ble High Court in its orders dt.2-7-2004 in W.P.No.11007/2004 and to pass.

**Counsel for the Petitioner: MRS. S.NANDA**

**Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court made the following:**

ORDER:

This writ petition is filed to quash the order dated 29.7.2004 in G.O.Rt. No.1096 passed by the second respondent directing the first respondent to take necessary action for recovery of misappropriated amount from the petitioner, as illegal, arbitrary and violative to the observations made by this Court in W.P. No.11007 of 2004 dated 2.7.2004. This Court while admitting the writ petition on 4.8.2004 suspended the orders impugned. Be that as it is, WVMP No.2359 of 2004, filed by the respondents to vacate the interim orders passed earlier, is listed today.

After passing the orders in the above WVMP No.2359 of 2004 and WPMP No.17623 of 2004, the learned counsel for the petitioner and learned Assistant Government Pleader for Panchayat Raj rightly submit that the matter may be remanded to the Government for consideration of the matter afresh. Therefore, the writ petition is disposed of at the interlocutory stage remitting the matter to the Government. The Government will do well to consider all questions raised by the writ petitioner and pass a reasoned order. It shall be open to the Government to entertain the application of any third party from the village to intervene in the matter. The Government may pass appropriate orders in the revision petition within a period of eight weeks from the date of receipt of a copy of this order. Till then the petitioner shall be continued as Sarpanch.

The writ petition, with the above observations and directions, disposed of.

_____

Date: September 7, 2004. (**V.V.S. RAO, J**)

YS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Collector (Panchayat Wing),

Ranga Reddy District.

2 The Principal Secretary, Government of Andhra Pradesh,

Panchayat Raj & Rural Development (PTS.II) Department,
Secretariat Buildings, Hyderabad.

3 The Commissioner, Panchayat Raj & Rurla Development,
Andhra Pradesh, Hyderabad.

4 Two CCs to the Government Pleader for Panchayat Raj &

Rural Development, High Court of Andhra Pradesh,

Hyderabad (O.U.T)

5 Two CD copies.